

No. 5:18-CR-00452-FL-1

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Defendant.

ORDER

The court, having conducted numerous criminal trials safely since late August 2020, finds that a continuance is not necessary for the reason of defendant's general concerns regarding conducting trial under COVID-19 impacted conditions. However, the court does find a continuance appropriate to promote the parties' continuing negotiations that would resolve this

matter short of trial, which they note requires additional time to complete. The court notes that COVID-19-related restrictions on lead defense counsel's ability to travel, and on all defense counsel's ability to communicate and meet in person with defendant, further support the need for a continuance on this basis. Likewise, the language barrier between defendant and his counsel further complicates coordination on these negotiations.

Based on the foregoing, defendant's motion to continue trial of counts 27–29 is GRANTED. Trial of counts 27–29 of the fourth superseding indictment is CONTINUED to Monday, March 29, 2021, at New Bern, with administrative conference at 9:00 a.m. and jury selection beginning at 9:30 a.m. Not later than March 22, 2021, the parties shall file their proposed supplemental jury instructions and voir dire. The court finds that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial.

SO ORDERED, this the 8th day of February, 2021.

  
LOUISE W. FLANAGAN  
United States District Judge